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**From:** HKolesa@bart.gov  
**To:** Simon Zweighaft  
**CC:** Kenneth G. Knight; Steve Barsony; Hamayasu, Toru  
**Sent:** 4/18/2008 6:29:29 AM  
**Subject:** Re: FW: Panos complaining about the panel (still)

Simon,

I certainly agree with your version of events.

Panos' recollection of the events, though convenient to his agenda, read more like a fictional short story in which he, the hero, single-handedly fights the dragon, but loses.

Panos fails to mention the initial conference call delays, due to him, and the fact that the rest of the panel, and the city, had to reschedule travel, accommodations, and meetings all around his availability. (You may recall that his initial suggestion was that we reschedule everything into the month of March, which would have precluded meeting the end-of-February deadline. I initially thought that his suggestion was due to ignorance of the requirements, but after seeing his mode of operation, I now believe that he intentionally was hoping to violate the deadline.)

Maybe the city lawyers should hold his consulting payment until they can rule on whether he violated the contract agreement that we all signed.

Henry

Simon Zweighaft  
<Zweighaft@infrac  
onsultllc.com> To  
"Hamayasu, Toru"  
04/17/2008 08:18 <thamayasu@honolulu.gov>  
PM cc  
"Kenneth G. Knight"  
<knight.tuta@sympatico.ca>, Steve  
Barsony <sbarsony@verizon.net>,  
"HKolesa@bart.gov"  
<HKolesa@bart.gov>  
Subject  
FW: Panos complaining about the  
panel (still)

My responses to Panos summary are shown below in red type. I would prefer to leave this alone and not respond. I am copying the other panel members to make sure they are in agreement with my version of events.

-----Original Message-----

From: Roberts, Stephanie L [mailto:RobertsSte@pbworld.com]  
Sent: Thursday, April 17, 2008 12:55 PM  
To: Scheibe, Mark; Blane, Sarah; Russell, Jennifer; Nalani Dahl; Elisa Yadao2; Elisa Yadao; Gary K. Omori; Pat Lee; Laura Pennington  
Cc: Simon Zweighaft; Mike Schneider; Van Epps, James  
Subject: Panos complaining about the panel (still)

Please read Panos's summary of how the transit panel was selected and run (yes - 2 months later). Please read the highlighted paragraphs- Panos seems to forget that he could have come to the RTD office to work. And who

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is this mysterious little gnome handing out anti-Panos materials?

## Selection of Honolulu Rail Transit 'Expert' Panel Was a Case Study in Manipulation

By Panos D. Prevedouros, 4/17/2008 11:28:45 AM

Transit panel selection was a case study in manipulation. As the only local member of the city's transit technology expert panel, I would like to share a summary of how the panel was conducted and how it worked. Panos executed an agreement to be paid as a Peer Reviewer which includes a clause entitled, "Data Confidentiality." Simply by writing this article without seeking release from the City first, he has violated his contractual agreement.

After the panel was appointed, the three mainland panelists and I were given a list of names to select the panel chairman. When I first tried to offer other names, they were rejected because only names from the "approved list" could be selected. This is absolutely a fabrication. When I provided the list to the panel, I explicitly told them that they were free to consider names which were not on the list. I believe the other four panel members will back up this statement. To my knowledge, this list was not approved by the City Council or anyone else but the city and its transit project consultant.

Upon my insistence, I was allowed to introduce a couple of candidates. I suggested Martin Wachs, a leading national expert, who chaired the mayor's Transit Conference in Honolulu in 2007. Panos did not need to insist. Any panel member was free to suggest other names. Incredibly, the other panelists claimed they had never heard of him. This is indicative of their myopic focus on designing, building or funding transit systems, nearly 100 percent of which had been steel-on-steel systems. It is another fabrication to say that "nearly 100 percent of their experience had been steel-on-steel systems." Panel member Steve Barsony's direct project experience is with the Morgantown PRT system, a rubber tired systems. Panel member Ken Knight had recent experience with a bus rapid transit system in Ontario, Canada. Panel member Henry Kolesar worked for Bombardier on propulsion systems for both steel wheel and rubber tired technologies. All panel members were required to have experience with more than one technology and they do. In a later conversation with Dr. Wachs on this subject, he confirmed that he did not consider himself to be a technology expert and would probably have declined to participate if he had been asked.

Instead, in the next 15 minutes of the teleconference call, Simon Zweighaft of InfraConsult, a small outfit consisting mostly of ex-Parsons Brinkerhoff employees, which currently operates as an arm of the city, read the "approved list." There was not an "approved list." There was a list of other experts who had been considered by the Council as potential original nominees for the committee. The list was prepared from suggestions made by InfraConsult, PB and City staff because it had been requested. The project team had made several suggestions of people who met the requirement of having experience with more than one technology and having no current connection with any supplier or consultant working on the project. Some of the names on the list were put forth by other potential panel members after hearing about the qualifications being sought. Although the panel members were located hundreds of miles apart during the teleconference, within minutes all three picked Ron Tober. We did not have to short-list names and then make a final selection. From a list of about two dozen pre-qualified transit experts, all three picked Tober magically. Panos' version of the events is again incorrect. It was Ken Knight, I believe, who suggested Mr. Tober. Mr. Knight had considered the nominees, most of whom were known to him, and he argued that Mr. Tober's experience fulfilled a need for a person on the panel with experience in actually operating a fixed guideway system. Steve Barsony, who also knew Mr. Tober, concurred with Ken Knight's recommendation. Henry Kolesar stated that he did not know Mr. Tober, but that he could appreciate Ken Knight's thoughts. Dr. Prevedouros stated that he felt there should be other candidates considered as well such as Professor Martin Wachs. After discussion of these candidates in the first

conference call, all panelists agreed to also consider two additional candidates nominated by Panos and did not make a final conclusion. The first conference call was adjourned after Panos agreed to provide background information on two other candidates for the group's consideration, scheduling a second conference call to be held after this additional information was received and reviewed by the panel members. Fortunately we have audio tapes of this second conference call to rebut Panos' version of events. The panel for a second time discussed the qualifications needed, and selected Ron Tober.

I have been in many search committees. Never did one conclude its selection in under 20 minutes, and rarely did all members pick the same candidate in the first round. Panos neglects to mention that there were two conference calls which considered potential fifth panel members and that in between the two calls, the panelists each received and reviewed additional resumes. The second conference call lasted more than 30 minutes, but only about 10 minutes of that second call were devoted to the second discussion of the fifth panel member. With regard to the comment about search committees--as important as this panel was, it is something quite different to consider candidates for a permanent employment position than to consider people for a one week assignment of a specific purpose from a group of technology experts. Anyone would be surprised to be on a search committee choosing a person for a new permanent position in twenty minutes.

Once panelists arrived in Honolulu, we were told not to confer with one another. However, all four mainland panelists stayed at the same hotel and worked out of the InfraConsult office. The office is not an InfraConsult office. It is a City office which also houses InfraConsult. Panos was also provided an office in this same space which he chose not to use since he already has a local office. None of the panel members used the City office space for the entire time of their stay. All occasionally worked from their hotel rooms. We were asked to wade through piles of information in an absurdly tight window of four days. During the second (taped) conference call, Panos is heard to say that there would be plenty of time for the purpose.

A panel is supposed to discuss and deliberate. This panel operated without meetings or deliberations. One week after the panel's inaugural meeting, it was announced at a public meeting that all, except me, voted for a steel-on-steel system. The only discussion that took place occurred after the vote was announced.

After the panel issued its report, I was invited to speak to groups and neighborhood boards. Parsons Brinkerhoff employees followed me handing out fliers, attacking my views or "offering the truth," as they view it. Parsons Brinkerhoff does not know of instances where any of their employees handed out fliers attacking Panos' views at meetings of groups or neighborhood boards where he was speaking.

Toru Hamayasu, who identified himself as project manager for the city's transit project, contacted the dean of the University of Hawaii College of Engineering in an attempt to muzzle my opinions and suggested that the dean isolate me from the rest of the school.

Is this the way transit should be selected? Do we operate in 2008 or in a dark past year?

Stephanie L. Roberts, AICP

PB

cell: 808.388.5127

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